

Towns County Herald

Legal Notices for October 7, 2020

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: LUCILLE NIXON BURGESS
All debtors and creditors of the estate of Lucille Nixon Burgess, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor. This 25th day of September, 2020.

Laura Susan Miles, Executor
26763 Whispering Leaves Dr. Unit B
Newhall, CA 91321
Lawrence S. Sorgen
Attorney at Law
P. O. Box 67
Hiawassee, GA 30546
T(Sept30,Oct7,14,21)

NOTICE TO CREDITORS AND DEBTORS STATE OF GEORGIA COUNTY OF TOWNS

RE: Estate of Eugene H. Bolsius, Jr.
All creditors of the estate of Eugene H. Bolsius, Jr., deceased of Towns County, Hiawassee, Georgia, are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned. This 29th day of September, 2020.

Mark Bolsius
Personal Representative
3805 Tullamore Way,
Cumming, GA 30040
770-853-7966
T(Oct7,14,21,28)

NOTICE TO CREDITORS AND DEBTORS STATE OF GEORGIA COUNTY OF TOWNS

RE: Estate of James Cecil Berrong
All creditors of the estate of James Cecil Berrong, deceased of Towns County, Hiawassee, Georgia, are hereby notified to render in their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned. This 30th day of September, 2020.

Jeffery Penland,
Personal Representative
P.O. Box 925
Hiawassee, GA 30546
T(Oct7,14,21,28)

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF GLADYS L. TOMLINSON
All debtors and creditors of the estate of Gladys L. Tomlinson, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor. This 2nd day of October, 2020.

Harold Charles Baldwin, Executor
936 Sunnyside Road
Hiawassee, GA 30546
Lawrence S. Sorgen
Attorney at Law
P. O. Box 67
Hiawassee, GA 30546
T(Oct7,14,21,28)

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: NANCY W. HINSON
All debtors and creditors of the estate of Nancy W. Hinson, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor. This 17th day of September, 2020.

Gary H. Hinson, Executor
Address: 1408 Enchantment Way
Hiawassee, GA 30546
T(Sept23,30,Oct7,14)

IN THE SUPERIOR COURT OF TOWNS COUNTY STATE OF GEORGIA

Enotah Judicial Circuit
STATE OF GEORGIA,
ex rel
JEFFREY LANGLEY
DISTRICT ATTORNEY,
ENOTAH JUDICIAL CIRCUIT,
Plaintiff,
vs

2007 Harley Davidson Streetglide,
VIN #1HD1KB4167Y649440, GA TAG # TGJ 404
Defendant in rem
RE PROPERTY OF
WILLIAM CRAIG HENDERSON, AND PEACH
STATE CREDIT UNION,
Purported Owner(s)/Interest Holders
CIVIL ACTION NO. 2020-CV-000122
COMPLAINT FOR FORFEITURE

COMES NOW THE STATE OF GEORGIA, by and through Jeffrey Langley, District Attorney for the Enotah Judicial Circuit and files this complaint for forfeiture pursuant to the Official Code of Georgia Annotated §§16-13-49(b) and 9-16-12 and shows the Court the following:

1. The property sought to be forfeited is described in the above-styled caption and is incorporated herein by reference thereto (hereinafter “the defendant property”).

2. The defendant property is presently in the custody of the Towns County Sheriff Department and is located within the county and is within the venue and subject to the jurisdiction of this Court.

3. On August 22, 2020, the defendant vehicle was stopped by the Towns County Sheriff Department on Highway 76 West at Fox Run Road, Young Harris, Georgia.

4. The stop resulted in the arrest of William Craig Henderson for Possession of Methamphetamine, Possession of Drug Related Objects, D.U.I., Failure to Maintain Lane and Driving without a Valid License.

5. A search of the defendant and his vehicle resulted in the discovery of Methamphetamine in excess of a gram.

6. As a result of the discovery of the Methamphetamine, the defendant vehicle was seized for forfeiture.

7. The defendant property is contraband and subject to forfeiture to the State of Georgia pursuant to the provisions of O.C.G.A. § 16-13-49(b), in that the defendant property was directly or indirectly used or intended for use to facilitate the Possession of Methamphetamine in violation of O.C.G.A. § 16-13-30 and/or is proceeds derived or realized therefrom and/or was found in close proximity to methamphetamine and/or other property which is subject to forfeiture pursuant to the provisions of O.C.G.A. § 16-13-49(b).

9. 10. The names and addresses of all known persons who may be owners and/or interest holders of the defendant property, or any part thereof, are as follows:
William Craig Henderson
46 Crane Creek Road
Young Harris, Ga 30582
Peach State Credit Union – Lienholder
5734 Robinson Road
Young Harris, Ga 30582
Amount of Lien: \$480.81

WHEREFORE THE STATE OF GEORGIA PRAYS:

1) That all purported owners and/or interest holders listed herein be personally served with a copy of the complaint and summons;
2) That all purported owners and interest holders who are unknown, who reside out of state, who depart the state, who cannot after due diligence be found within the state, or who conceal themselves so as to avoid service, be served by publication by publishing a notice of proceedings once per week for two consecutive weeks in the legal organ of the county in which this complaint is pending as provided by O.C.G.A. § 9-16-12(b)(3);
3) That the Court hold a hearing within sixty (60) days of the service of this complaint as provided by O.C.G.A. § 9-16-12(f);
4) That the Court enter judgment in favor of the State of Georgia declaring the defendant property or any part thereof forfeited to the State of Georgia pursuant to the provisions of O.C.G.A. § 16-13-49;
5) That the Court retain jurisdiction to direct the proper disposition and distribution of the forfeited property as provided by O.C.G.A. § 9-16-19; and
6) That the State of Georgia be afforded such other relief and remedies as are available under law and for due process to enforce the forfeiture.

RESPECTFULLY SUBMITTED,

/s/ Sidney Landreau

Sidney (Buster) Landreau

Assistant District Attorney

State Bar No. 970247

slandreau@pacga.org

48 River Street Ste A

Hiawassee, Ga 30546

706-896-6489

NOTICE OF SUMMONS

The above Petition for Forfeiture was filed in the above styled act on September 23, 2020, seeking forfeiture of the above property on account of a Violation of the Georgia Controlled Substances Act pursuant to O.C.G.A. Section 16-13-19.

Any owner or interest holder is hereby notified to file a verified answer under penalty of perjury with the undersigned within thirty (30) days from the date of last publication herein with.

Cecil Dye

Clerk Superior Court of Towns County

48 River Street Ste E

Hiawassee Ga, Ga 30546

A copy of any answer should also be mailed or served upon the following

Buster Landreau

Assistant District Attorney

48 River Street Ste A

Hiawassee, Ga 30546

T(Sept30,Oct7)

NOTICE OF SALE UNDER POWER

STATE OF GEORGIA

COUNTY OF TOWNS

Under and by virtue the Power of Sale contained in that certain Deed to Secure Debt and Security Agreement (the “Security Deed”) from Sand B&G, LLC, a Georgia limited liability company (“Grantor” or “Borrower”) in favor of KDM, filed December 14, 2018, and recorded in Deed Book 622, Pages 222-227, Towns County, Georgia Records (the “Security Deed”), as assigned by KDM to Chatuge Loan Funding LLC by that certain Assignment of Deed to Secure Debt dated August 26, 2020, and recorded in Deed Book 655, Page 223, as further assigned by Chatuge Loan Funding LLC to Lender by that certain Assignment of Deed to Secure Debt dated August 27, 2020, and recorded in Deed Book 655, Page 594, Grantee, as attorney-in-fact for Grantor, will sell at public outcry to the highest and best bidder for cash before the courthouse doors in Fulton County, Georgia, during the legal hours of sale on November 3, 2020, the following described real property, to wit:

All that tract or parcel of land lying and being in the 17th District, 1st Section, Land Lots 50 and 51 of Towns County, Georgia containing 1.422 acres, as shown on a plat of survey for D's Designs of Tallahassee, Inc., by Northstar Surveying & Mapping, Inc., W. Gary Kendall, RLS, dated October 11, 2018 and recorded in Plat Book 41, Page 77, Towns County records, said plat being incorporated herein by reference; together with a non-exclusive easement of ingress and egress over, above and across the paved road(s) shown on said plat (known as Dogwood Lane) for access to and from the aforescribed tract and U.S. Hwy. No. 76/ State Route No. 2.

Also, a non-exclusive right of access to and use of the Lift Station adjacent to the northeast corner of the aforescribed tract (shown on the above referenced plat of survey) for use and service of sanitary sewer discharge from the real property herein conveyed, subject to such rules, regulations and laws applicable thereto and subject to the sewer charges therefor as may be assessed by any lawful government agency, authority or entity for the transportation and processing of sanitary sewer waste water from the above described premises, which compliance and charges therefor shall be the sole responsibility of Grantee, its successors and assigns. Together with all other “Property,” as such term is defined in the Security Deed.

THE ABOVE-REFERENCED REAL PROPERTY IS COMMONLY KNOWN AS LAND LOTS 50 AND 51, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA CONTAINING 1.422 ACRES AND ITS TAX IDENTIFICATION NUMBER IS 19 74 A 1.

The debt secured by the Security Deed is evidenced by that certain Purchase Money Promissory Note (the “Note”) dated as of December 5, 2018, executed by The Sand Bar and Grille, Inc., a Georgia corporation (“Borrower #1”) in favor of KDM Holdings, L.L.C., a Georgia limited liability company (“KDM”) and assigned and endorsed by Allonge dated August 26, 2020 to Chatuge Loan Funding LLC, as further assigned by Assignment and Assumption of Purchase Money Promissory Note dated August 27, 2020 to Utrecht Assets, LLC, a Georgia limited liability company, in the original principal amount of \$523,271.00, (the “Note”) plus interest on the unpaid balance until paid, and other indebtedness.

Default has occurred and continues under the terms of the Note and Security Deed by reason of, among other possible events of default, the nonpayment when due of the indebtedness evidenced by the Note and secured by the Security Deed. By reason of this default, the Security Deed has been declared foreclosable according to its terms.

The above-described real property will be sold to the highest and best bidder for cash, the proceeds to be applied to the payment of said indebtedness, attorney’s fees, and the lawful expenses of said sale, all as provided in the Note and Security Deed. The sale shall be subject to the following: all outstanding ad valorem taxes and/ or assessments, if any; possible redemptive rights of the Internal Revenue Service, if any; and all other prior assessments, easements, restrictions or matter of record.

To the best of the undersigned’s knowledge and information, the party or parties who may be in possession of the Property are Grantor or its agents or tenants of Grantor.

THE LAW OFFICES OF SAM MAGUIRE, JR. P.C.

SYNERG LAW COMPLEX

6075 BARFIELD ROAD, SUITE 119

SANDY SPRINGS, GA 30329

File #: C202938

(404) 257-8885

T(Oct7,14,21,28)